



ఆంధ్రప్రదేశ్ రాజపత్రము

THE ANDHRA PRADESH GAZETTE PUBLISHED BY AUTHORITY

W.No.38

AMARAVATI, MONDAY, SEPTEMBER 26, 2022

G.860

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

CHIEF EXECUTIVE OFFICER, A. P. STATE WAQF BOARD

4th FLOOR, IMDADAGHAR, Opp: KALESWARAO MARKET, VIJAYAWADA.

F.No.B3 / 62 / KNL / 1998.

Date: 12-05-2022.

KURNOOL DISTRICT - ADONI TOWN & MANDAL - DARGAH HZT SYEDA FATHIMA BEE URF SYEDA SATU BEE - CONSIDERING THE CANDIDATURE OF Sri SYED MAHABOOB BASHA HUSSAINI, S/o. SYED NIZAMUDDIN HUSSAIN FOR THE TOWLIATH OF DARGAH HZT SYEDA FATHIMA BEE URF SYEDA SATU BEE AT ADONI TOWN, KURNOOL DISTRICT FOR A PERIOD OF THREE (3) YEARS U/Sec.63 OF WAQF ACT, 1995.

Read : 1. Corrigendum issued in File No. S-21/KNL/AP/2016, dated.24-08-2016
2. Representation of Sri. Syed Nizamuddin Hussaini, S/o Syed Meera Mohiuddin Hussaini, dated. 27-12-2016 along with copy of orders passed by the Hon'ble A.P. Waqf Tribunal, A.P at Hyderabad in OS No.118/1999, dated.24-11-2016.
3. This office memo even No. dated.07-01-2017.
4. Report of the I.A.Waqfs, Kurnool District, dated.10-02-2017.
5. This office paper notification of even No., dated.18-03-2017.
6. Report of the I.A. Waqfs, Kurnool District, dated.06-04-2017 along with copy of objection petition filed by Sri. Mulla Hussain Sab, R/o Adoni, Kurnool District, dated.27-03-2017.

7. This office Proceedings of even No. dated.15-05-2017 & 08-11-2017.
8. Enquiry report dated.04-11-2018 submitted by Sri. Saheb Khan, enquiry officer of A.P. State Waqf Board, along with connected documents.
9. Order of Hon'ble Waqf Tribunal AP, at Hyderabad in OS.No. 73 of 2013, dated.08-05-2018
10. Board Resolution No.176 of 2022, dated:22-03-2022.
11. Board's Resolution No.243 of 2022, dated:12-04-2022.
- 12.Orders of the Hon'ble Chairperson, APSWB, dated.26-04-2022.

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ORDER:

In the ref.1st read above, a corrigendum was issued Dargah namely Hzt Syeda Fathima Bee urf Syeda Sathu Bee at Adoni Town in file No.S-21/KNL/AP/2016, dated.24-08-2016 and the same was published in A.P. Gazette No.11, Part-II, dated.16-03-2017 in page No.187 the institution and its attached properties reflected as here under.

Serial No.	Name of the Waqf Institution	Survey No	Extent Ac- Cent
1.	Dargah Hzt Syeda Fathima Bee Urf Syeda Sathu Bee at Adoni.	259/A	3.97
		259/B	0.02
		259/C	0.07
2.	Dargah Hzt Pir Bale Saheb at Harivanam	1030/B	12-13
		1030/B	02.38
		1030/C	14-84

In the reference 2nd read above, Sri Syed Nizamuddin Hussaini has submitted representation to this office along with copy of the judgment passed by the Hon'ble A.P.Waqf Tribunal, Hyderabad in OS No.118/1999, dated.24-11-2016 with a request to appoint his son namely Sri Syed Mahaboob Basha Hussaini as Mutawalli, due to applicant is unable to perform the duties of Mutawalli to the subject Institution.

Basing the said representation, this office has called the detailed report from the Inspector Auditor Waqfs, Kurnool Dist vide reference 3rd read above. Accordingly, the Inspector Auditor Waqfs, Kurnool Dist has submitted his report dated 10-12-2017 vide reference 4th read and recommended to appoint Sri Syed Mahaboob Basha Hussaini S/o. Syed Nizamuddin Hussain as Mutawalli to the subject institution and its attached properties.

In the reference 5th read above, this office has issued notification by calling claims and objections if any for appointment of Mutawalli to Sri Syed Mahaboob Basha Hussaini S/o Syed Nizamuddin Hussain as Mutawalli to the subject institution and its attached properties. Accordingly, said notification was published in Sakshi Daily District edition of Kurnool on 21-03-2017 by applicant.

In the reference 6th read above, the I.A. Waqf, Kurnool District has reported that he has received an objection petition filed by Sri Mulla Hussain Sab R/o. Adoni Town, Kurnool District against the above said notification.

In the reference 7th read above, this office has appointed to Sri Saheb Khan, Rtd. Manager, Forest Department as Enquiry Officer, A.P. State Waqf Board against on the objection filed by Sri Mulla Hussain Sab, R/o. Adoni Town, Kurnool District.

After completion of enquiry process, Sri Saheb Khan, Enquiry Officer of A.P. State Waqf Board has submitted his enquiry report vide reference 8th read above and the same was placed before the Board.

The Board has passed a resolution vide ref. 10th read above, It is unanimously resolved that to defer the matter and to place it in the subsequent Board meeting.

The subject matter was resubmitted before the Board in its meeting and the Board has passed a resolution vide ref.11th read above, unanimously resolved to accept the enquiry report. Subsequently it is resolved to consider the candidature of Sri. Syed Mahaboob Basha Hussaini, S/o. Syed Nizamuddin Hussaine for the Towliath of Dargah Hzt Syeda Fathima Bee Urf Syeda Satu Bee at Adoni Town, Kurnool District for a period of three (3) years U/sec.63 of Waqf Act, 1995.

Accordingly, considering the candidature of Sri. Syed Mahaboob Basha Hussaini, S/o. Syed Nizamuddin Hussaine for the Towliath of Dargah Hzt Syeda Fathima Bee Urf Syeda Satu Bee at Adoni Town, Kurnool District to the extent of attached property in Sy.No.259/A to an extent of Ac.3.97 cents and its other attached property of Muslim burial ground situated in Sy.No.259/B to an extent of Ac.0.02 cents and well existing in Sy.No.257/C to an extent of Ac.0.07 cents confirmed by the Hon'ble AP Waqf Tribunal in OS No. 118/ 1999, dated.24-11-2016 and OS No. 73/2013, dated. 08-05-2018 for a period of three (3) years U/sec.63 of Waqf Act, 1995 for managing the entire affairs of the subject Waqf Institution from the date of issue of this proceeding by following Waqf Act, 1995 and Waqf Rules.

The Mutawalli should discharge his legitimate duties strictly as determined in Section 50 of Waqf Act, 1995 read with Rule 20 of A.P. Waqf Rules, 2000 and should follow the instructions issued by the Board from time to time. He should submit the Accounts, Budget, Income & Expenditure statements and pay Waqf fund properly, failing which action will be taken against him U/Sec. 61 and 64 of the Waqf Act, 1995 as the duties mentioned below.

- a) To implement the orders issued by the Board from time to time.
- b) To carry out the directions of the Board
- c) To allow inspection of the Inspector Auditor, Waqfs regarding property, accounts, records, deeds and documents relating thereto.
- d) To discharge all public duties.
- e) To do any other Act which he is Lawfully required to do so or under this Act.
- f) He shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any facts.
- g) That the Mutawalli is restricted to grant lease of Waqf property exceeding one year.
- h) The Mutawalli should follow the Norms fixed in Section 56 of the Waqf Act, 1995 while granting Lease of any agricultural lands. He should follow Lease Rules, 2014 to put open auction through A.P. State Waqf Board.
- i) He will not entitled to expend the Monies of Waqf exceeding @ 10% of the Net annual Income.

As per Sec.101(2) of Waqf Act, 1995, "Every Mutawalli of a Waqf, every member of managing committee whether constituted by the Board or under any deed of Waqf, every Executive Officer and every person holding any office in a Waqf shall also be deemed to be a public servant within the meaning of Sec.21 of the Indian Penal Code". As such, for the illegal acts if any, every member of the committee will be liable for penal action. The Mutawalli shall also noted that Sec.3 (ee) defined encroacher, Sec. 52-A explain rigorous punishment up to (2) years and Sec.61 speaks penalty and punishment up to (6) months for the lapses / charges shown therein, hence should act carefully diligently and maintain accounts scrupulously.

The APSWB reserves its right to modify / cancel / alter / withhold the order at any time without assigning any reasons thereof.

Janab. L. ABDUL KHADIR,
Chief Executive Officer (FAC),
A.P. State Waqf Board,

To

Vijayawada.

Sri. Syed Mahaboob Basha Hussaini,
S/o. Syed Nizamuddin Hussaine ,

Mutawalli of Dargah Hzt Syeda Fathima Bee Urf Syeda Satu Bee,
Adoni Town, Kurnool District, (Through I.A.Waqf, Adoni Division, Kurnool District.)